

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

UNITED STATES OF AMERICA,

v.

GEORGE AREF NADER,

Defendant.

Case No. 1:19-CR-201

**NON-CONFIDENTIAL MEMORANDUM IN SUPPORT OF
MOTION FOR LEAVE TO FILE UNDER SEAL**

George A. Nader (“Defendant”), by and through the undersigned counsel, pursuant to Local Criminal Rules 49(A), (D), and (E), as well as the Protective Order at ECF No. 67 entered on July 19, 2019, respectfully requests an Order sealing his Motion to Dismiss Count Three of the Indictment, and accompanying exhibits.

I. Items to be Sealed and Necessity for Sealing

1. Defendant seeks to file a Motion to Dismiss Count Three of the Indictment and accompanying exhibits. Defendant seeks to file and maintain these documents under seal because they contain materials covered by the Protective Order entered by the Court on July 19, 2019; *see* ECF No. 67, and reference confidential information discussed in the Confidential Memorandum in Support of the Motion for Leave to File Under Seal, filed by hand with the Clerk’s Office.

II. References to Governing Case Law

2. This Court has the inherent power to seal materials submitted to it when the public’s right of access is outweighed by competing interests. *See In re Knight Pub. Co.*, 743 F.2d 231,

235 (4th Cir. 1984). Given that the Motion to Dismiss and accompanying exhibits contain information covered by the Protective Order, which requires sealing of certain documents, and which otherwise generally prohibits widespread dissemination of documents obtained in discovery, sealing is appropriate.

3. Sealing the Motion to Dismiss and accompanying exhibits is also appropriate for additional, confidential reasons discussed in the Confidential Memorandum in Support of the Motion for Leave to File Under Seal.

III. Period of Time Defendant Seeks to Have the Matter Remain Under Seal

4. Defendant seeks to have these materials sealed until further order of the Court.

For the foregoing reasons, and for the reasons discussed in the Confidential Memorandum in Support of the Motion for Leave to File Under Seal, the Court should grant the defendant leave to file under seal the attached motion and accompanying exhibits.

Dated: October 7, 2019

Respectfully submitted,

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